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Attorneys for Third-Party Defendant
Textron Inc.

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, THE
COMMISSIONER OF THE NEW JERSEY
ENVIRONMENTAL PROTECTION AGENCY,
and THE ADMINISTRATOR OF THE NEW
JERSEY SPILL COMPENSATION FUND,

Plaintiffs,

vs.

OCCIDENTAL CHEMICAL CORPORATION,
TIERRA SOLUTIONS, INC., MAXUS ENERGY
CORPORATION, REPSOL YPF, S.A., YPF, S.A.,
YPF HOLDINGS, INC. and CLH HOLDINGS,

Defendants,

MAXUS ENERGY CORPORATION and
TIERRA SOLUTIONS, INC.,

Third-Party Plaintiffs,

vs.

AMERICAN CYANAMID, et.al.

Third-Party Defendants.

SUPERIOR COURT OF NEW
JERSEY
LAW DIVISION: ESSEX COUNTY

DOCKET NO. L-9868-05 (PASR)

CIVIL ACTION

**TEXTRON INC.'S CMO V THIRD-
PARTY INITIAL DISCLOSURE**

INITIAL DISCLOSURES

Comes now Third-Party Defendant Textron Inc. ("Textron") and for its Initial Disclosure in accordance with Case Management Order V provides the following specific information.

Reservations:

1. Textron reserves the right to object to the production of any documents or other information on any ground, including relevance and undue burden, and to assert any applicable privilege, including the attorney-client privilege, the work product doctrine, the common interest doctrine, and other applicable privilege or protection. These disclosures are not intended to prejudice or waive any privileges or objections Textron may have with respect to any outstanding or subsequent requests for discovery.

2. Textron's investigation in this matter is continuing. Accordingly, it reserves the right to supplement, clarify, and revise these disclosures to the extent additional information becomes available or is obtained through discovery. Further, Textron reserves the right to amend these disclosures to the extent the claims brought by or alleged against Textron in this litigation are amended.

3. The time period covered by the allegations in the Plaintiffs' Second Amended Complaint is quite long and encompasses at least six decades. The geographic scope of the *Second Amended Complaint* is also quite broad, covering the "Newark Bay Complex" which spans the "lower 17 miles of the Passaic River, Newark Bay, the lower reaches of the Hackensack River, the Arthur Kill, the Kill van Kull, and into adjacent waters and sediments" *Second Amended Complaint*, P1. The scope of inquiry required by Plaintiffs and Third-Party Plaintiffs is accordingly quite broad and potentially burdensome. Textron is therefore engaged in a continuing investigation and reserves the right to supplement and modify these disclosures.

a. The name, address and telephone number, as may be known of each individual likely to have discoverable information, along with the subjects of that information, that relates to any alleged discharge or release of pollutants, contaminants and/or hazardous substances ("Pollutants") into the Newark Bay Complex (as these terms are defined in the Second Amended Complaint and the Third-Party Complaints) from the site(s) and/or properties with which the disclosing party is associated in the Third-Party Complaint ("Alleged Discharges");

Response

As to the Federal Leather Company/Belleville Industrial Site (Complaint B Paragraphs 606-630) (hereinafter referred to as "Federal Leather"):

None known at the present time.

As to Textron /Reichhold Doremus Avenue Site (Complaint B paragraphs 2503-2527) (hereinafter referred to as "Textron")

Name/Address/Phone	Subject
Gregory Simpson Textron Inc. c/o Holland & Knight LLP	Environmental conditions
Jamieson M. Schiff, Environmental Counsel Textron Inc. 40 Westminster Street Providence, RI 02903 (401)421-2800	Environmental conditions
Arthur E. Dieffenbach c/o Holland & Knight LLP	Historic Operations
John F. Brooks, Plant Manager (Ashland Oil & Textron Inc.) c/o Holland & Knight LLP	Historic Operations
Scott MacDonald Environ Corporation 214 Carnegie Center Princeton, NJ (609) 452-9000	Environmental conditions

Name/Address/Phone	Subject
William Kraft Environ Corporation 214 Carnegie Center Princeton, NJ (609) 452-9000	Environmental conditions
Richard Karr MACTEC Engineering & Consulting, Inc. 1787 Sentry Pkwy West, Suite 120 Blue Bell, PA 19422-2200 (215) 619-0292	Environmental conditions
Jack Schiavone AMEC Earth and Environmental, Inc. 2 Robbins Road Westford, MA 01886-4113*	Environmental conditions
Ray Basso, Strategic Integration Manager Emergency and Remedial Response Division U.S. Environmental Protection Agency, Region 2 290 Broadway New York, NY 10007-1866*	Environmental conditions
Pat Evangelista Emergency and Remedial Response division U.S. Environmental Protection Agency 290 Broadway, 19th Floor New York, NY 10007-1866*	Environmental conditions
Michael Buriani NJ Dept. of Environmental Protection 401 East State Street Trenton, NJ 08625*	Environmental conditions
Sal Balakrishnan BEECRA Cleanup Oversight Section NJ Dept. of Environmental Protection 401 East State Street Trenton, NJ 08625*	Environmental conditions
Christopher Gibbons, Investigator N.J. Dept. of Environmental Protection Division of Environmental Quality Bureau of Emergency Response, Region 1 428 East State Street Trenton, NJ 08608*	Environmental conditions Jan. 10, 1992 Spill April 3, 1991 Spill
Anthony J. McMahan, Chief N.J. Dept. of Environmental Protection Bureau of Industrial Site Evaluation Division of Waste Management 428 East State Street Trenton, NJ 08608*	Environmental conditions

Name/Address/Phone	Subject
J.M. Mullen, Hearing Officer Commander, U.S. Coast Guard Chief, Marine Environmental Protection Branch Third Coast Guard District Governors Island New York, NY 10004*	Environmental conditions Spills
Phillip D. Ashkettle, President Reichhold Chemicals, Inc. P.O. Box 13582 Research Triangle Park, NC 27709*	Environmental conditions
Fred Malczuk Reichhold Chemicals, Inc. 400 Doremus Ave. Newark, NJ 07105*	Historic operations
Bob Naujelis, Environmental & Safety Manager Reichhold Chemicals, Inc. 400 Doremus Ave. Newark, NJ 07105 (201)589-3789*	Environmental conditions April 3, 1991 Spill
Richard D. Barr Ashland Oil Inc. P.O. Box 391 Ashland, KY 41101*	Environmental conditions
M.D. Hollinger Ashland Oil Inc. P.O. Box 391 Ashland, KY 41101*	Environmental conditions

* Last Known Address

b. The name, address and telephone number, as may be known, of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses (unless the use would be solely for impeachment);

Response:

As to Federal Leather:

None known.

As to Textron:

Name, Address and Phone Number	Subject
Scott MacDonald Environ Corporation 214 Carnegie Center Princeton, NJ (609) 452-9000	Environmental conditions
William Kraft Environ Corporation 214 Carnegie Center Princeton, NJ (609) 452-9000	Environmental conditions
Richard Karr MACTEC Engineering & Consulting, Inc. 1787 Sentry Pkwy West, Suite 120 Blue Bell, PA 19422-2200 (215) 619-0292	Environmental conditions
Jamieson M. Schiff, Environmental Counsel Senior Environmental Health and Safety Counsel Textron Inc. 40 Westminster Street Providence, RI 02903 (401)421-2800	Environmental conditions
Jack Schiavone AMEC Earth and Environmental, Inc. 2 Robbins Road Westford, MA 01886-4113*	Environmental conditions

* Last Known Address

c. The name, address and telephone number, as may be known, of any and all past or present owners, lessees or operators at the site(s) and/or properties with which it is associated in the Third-Party Complaint and the dates of such ownership, lease or operation, as may be known;

Response

As to Federal Leather:

Name, Address and Phone Number	Dates of Ownership
Federal Leather Company	? until 1956
Textron, Inc.	1956-1962
Air Reduction Company, Inc.	1962- ?

As to Textron

Name, Address and Phone Number	Dates of Ownership
Millennium Petrochemicals	Until approx. 1954
Archer Daniels Midland	Approx. 1954-1968
Ashland, Inc.	Approx. 1968-1978
Textron Inc.	Approx. 1978-1985
NL Industries	Approx. 1985-1989
Reichhold Chemicals, Inc.	Approx. 1989-present

d. With respect to any individual identified pursuant to paragraph (a), (b) or (c) above, (or any other individual known to have material knowledge of an alleged discharge or release of a Pollutant at or from a site and/or property, or into the Newark Bay Complex), any known inability to testify due to age, infirmity, or incompetency within 12 months following the date of the Initial Disclosure.

Response as to Federal Leather:

None

Response as to Textron:

None

e. A description by category and location (or copy at the discretion of the Third-Party Defendant) of all documents or electronically stored information that the disclosing party has in its possession, custody, or control with respect to Alleged Discharges including disclosure of the extent to which such documents or electronically stored information may fall within the Excepted Information.

Response as to Federal Leather:

Category	Location	Applicable Category of Excluded Information¹
Corporate Records of Federal Leather, including purchase agreements	Holland & Knight LLP; additional documents may be available within the public domain	Some or all of these documents fall under excluded information categories a, b and g
Site Diagrams/sketches	Holland & Knight LLP; additional documents may be available within the public domain	Some or all of these documents fall under excluded information categories a, b and g

Response as to Textron:

Category	Location	Applicable Category of Excluded Information
Environmental Reports, sampling data, correspondence and related environmental documents	Textron additional documents may be available within the public domain c/o Jamieson Schiff	Some or all of these documents fall under excluded information categories a, b and g
Correspondence with governmental agencies	Textron additional documents may be available within the public domain c/o Jamieson Schiff	Some or all of these documents fall under excluded information categories a and b
Internal Textron correspondence	Textron additional documents may be available within the public domain c/o Jamieson Schiff	Some or all of these documents fall under excluded information categories a and g
Correspondence with current property owners	Textron additional documents may be available within the public domain c/o Jamieson Schiff	Some or all of these documents fall under excluded information categories a and b
*Textron Inc.		

¹ Applicable Exception codes are as follows:

a. Information, ("Information"), including, but not limited to, environmental, chemical and/or biological testing of groundwater, surface water, soil or sediment (hereinafter "Sampling Information") contained in the nexus packages produced pursuant to paragraph 8(e) of CMO V;

b. Information previously produced to any branch, department, agency or instrumentality of the State of New Jersey including to the New Jersey Department of Environmental Protection ("NJDEP") or Information produced to any other governmental agency or entity whose responsibility it is to oversee environmental compliance in the Newark Bay Complex area, including, but not limited to, the United States Environmental Protection Agency and the United States Army Corps of Engineers (hereinafter "Governmental Recipients"); and


g. Information that falls within the attorney-client privilege and/or the attorney work product privilege.

Correspondence with past site operators and litigation materials re past site owners and operators	Textron, additional documents may be available within the public domain	Some or all of these documents fall under excepted information category a, b and g
Correspondence with PRP group	Textron, additional documents may be available within the public domain	Some or all of these documents fall under excepted information categories a, b and g

Textron's Initial Disclosures are made without prejudice to their right to change or supplement their responses, their right to assert privileges or objections with respect to any subsequent requests for discovery, and their right to introduce at trial additional evidence and documents as warranted by the development of the facts underlying this litigation.

Dated: April 14, 2010

Respectfully Submitted,



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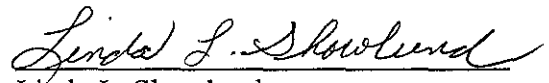
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Attorneys for Third-Party Defendant Textron Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Third-Party Defendants Textron Inc.'s Initial Disclosure was served electronically on all parties which have consented to service by posting on www.sfile.com/njdepvoc on April 15, 2010. The following counsel of record was served April 15, 2010 via first class, regular mail:

City of Orange	John P. McGovern Assistant City Attorney City of Orange Township 29 North Day St. Orange, NJ 07050
Borough of Hasbrouck Heights	Richard J. Dewland Coffey & Associates 465 South Steet Morristown, NJ 07960 973.539.4500 rjd@coffeylaw.com


Linda L. Showlund

Dated: April 15, 2010